

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD
1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007
PHONE (602) 364-1PET (1738) FAX (602) 364-1039
VETBOARD.AZ.GOV

ATT TRACY

COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: Feb 10, 2020

Case Number: 20-69

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: ANNETTE MAYOUE

Premise Name: at the time Scottsdale Veterinary Clinic

Premise Address: 7311 E THOMAS RD

City: Scottsdale State: AZ Zip Code: 85251

Telephone: 480 945-8484 DR. MAYOUE is now at
Blue Pearl 22595 N Scottsdale Rd Ste 110

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*: 480 949.8001

Name: RODNEY JOHNSON

Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Home Telephone: [REDACTED] Cell Telephone: [REDACTED]

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

RECEIVED
FEB 10 2020
BY: [REDACTED]

C. PATIENT INFORMATION (1):

Name: PENGUIN

Breed/Species: Cat

Age: 11 Sex: Female Color: Black + White

PATIENT INFORMATION (2):

Name: _____

Breed/Species: _____

Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

DR. TANYA LOPEZ Cat the time Scottsdale Hills
Animal Hospital
NOW, at PC Ranch Animal Hospital
20875 N Pima Rd C3 480 538 8300
E-MAIL DR. LOPEZ@PCRANCHAH.COM

E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

The staff on duty that evening at Scottsdale Veterans Clinic
The attending vet ~~XXXXXXXXXX~~
The vet DR. ANNETTE MAYOUE - now at Blue Pearl

DR. TANYA LOPEZ DC Ranch Animal Hospital 480-538-8300

Attestation of Person Requesting Investigation
20875 N Pima Rd CB 85255

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: _____

Date:

Signature: Rodney Joshua

Date: Feb 2 - 2020

Arizona State Veterinary Medical Examining Board

RODNEY joshua < >

Thu 1/30/2020 11:17 PM

To: ods06283cpc < >

F. Allegations and/or Concerns:

I well realize it has been a long time since this incidence occurred, in fact I have just a few weeks left by law to file this complaint as I understand. The reasons that I have waited so long are many fold. The main reason is that the grief and anguish over the tragic death of my beloved cat Penguin devastated me, and left me emotionally unable to confront what had happened. Every time I went to write about it, I just couldn't and barely can now. She was the most wonderful cat as you can see by the pictures I have enclosed. And right after she died I had other cats to take care of, especially Twinki my long time friend of 20 years, I needed to focus on her, as it was she died 8 months later. After that I was just so crushed I couldn't write about Penguin reliving the tragic course of events leading to her death. To begin with, Penguin had been under the care of Dr. Tanya Lopez at Scottsdale Hills Animal Hospital for several months, as she was having trouble walking. We discovered from x-rays of her hip that she had discs that were slipping and causing her colon to be impinged. On the evening in question Feb 15th I had taken Penguin to Dr. Lopez for a colonic at roughly 6:15 pm. After I brought Penguin home around 7:20 pm. After about an hour she threw up 3 different times, I was unable to contact Scottsdale hills as they had already closed. I tried to give Penguin water and comfort her but it became obvious she was in trouble. I choose to go to Scottsdale Veterinary Clinic as they were much closer to me than PV emergency or VCA in Mesa. And because I had gone there for over 15 years going back to when DR. Goldsmith had owned it. And I had taken several animals there. But mostly I went there because of the time, I could see Penguin needed help as fast as possible. Upon arriving there they wanted 400 dollars before they would do anything, I had to call a friend to get that much as I had dashed out of my house to take her there. Soon after they received the money I was told I needed to take Penguin some where else for treatment. They had Penguin in the back for at least a half an hour. So I took Penguin to the VCA Emergency in Mesa, but that took nearly another half an hour to get there and get her in their care. It was the next day when I told Dr. Lopez what had happened and she called Scottsdale Veterinary and asked them about it. I am including the records I have from Dr. Lopez. In her opinion as you can see, penguin was not stable and should have been cared for at Scottsdale Veterinary clinic, rather than being sent somewhere else. I do not believe it was Dr. Annette Majoue decision to send Penguin a way but some young girl at the front desk for personal reasons. DR. Majoue was the vet who saw Penguin. I do believe how ever as a doctor seeing a critically ill animal see should have refused to release Penguin and treated her while there was still time. Dr. Lopez believes had Penguin been treated correctly at that time, she could have lived. I hold Scottsdale veterinary Clinic responsible for Penguins death in part. An emergency Hospital on a human level can never turn a way a person in critical condition regardless. Is an animal hospital any different? They refused to help a wonderful beautiful animal who could have lived. Had they taken a blood test and determined her exact condition her life could have been saved. Yet the time lost in taking her all the way to Mesa was critical and in the end fatal. I would hope this would serve to prevent anyone else suffering the anguish I have over losing such a wonderful animal as I did. I am including Dr. Majoue's current residence as best as I can ascertain and Dr. Lopez's. I request you talk to Dr. Majoure and get her side of the story. I believe she did as she was told rather than as she should have as a Doctor with a life in her hands.

she was critical and I should but her to sleep.

I Lost at Least 45 minutes taking Penguin to Scottsdale Vet and another 30 taking her to the VCA in Mesa at least

I wish to ADD I had went to
Scottsdale Vet Clinic SINCE The time
DR. Goldsmith had owned it. OVER
15 years. I had TAKEN NUMEROUS
animals there - and SPENT a
CONSIDERABLE amount OF MONEY there.
After all that Loyalty.

REGARDLESS OF THE CIRCUMSTANCES
There is NO acceptable REASON FOR
AN EMERGENCY HOSPITAL TO NOT
treat AN ANIMAL WHEN IT IS A MATTER
OF LIFE and death - WHICH IT WAS.
IF there is NOT A LAW there should be -
AND they could call it "PENGUIN'S
LAW !!!

~~THANK YOU,~~

7 1

I wish to add - I do not believe
any Vet hospital should be able
to turn away any animal in
CRITICAL condition like they
did with PENGUIN. THEIR
conduct WAS UNPROFESSIONAL
AND COST PENGUIN her LIFE.

Please make sure this NEVER
happens to ANYONE ELSE OR to
another animal.

Thank You,
Rodney Joshua

also - I was concerned that this vet
was an intern - and might not have
the knowledge a Senior Doctor had
and that he did not consult one.

I cannot read his hand writing -
I wondered as a foreigner if they had
different views on death? at the time
I was in ~~in~~ shock and didn't know
what to think. This is all after the
fact though. I spoke with the
Director of VCA several times about
this. I would never have gone
here - had Scottsdale Vet - treated
Penguin as they should have.

I thank you,



The New

CHANDLER JUSTICE COURT

2051 West Warner Road, Chandler, Arizona 85224

Judge Ron Johnson
Justice of the Peace

James "Kevin" Jones
Constable

January 3, 2001

To Whom It May Concern:

It is with great pleasure that I provide this letter of recommendation for Rodney Joshua.

After several months of sub-par renovations by painters employed to complete facility upgrades, Rodney was hired as a replacement, and immediately accomplished in a few weeks what was originally done, and then went on to complete our court facility in the highest of quality and workmanship. His attention to detail, and pride in 'doing the job right' was most refreshing.

I am proud to recommend him.



Ron Johnson
Judge

BARRY M. GOLDWATER, JR.

March 6, 2010

A reference letter regarding Rodney Joshua

To whom it may concern,

It is unfortunate that good peoples' character is questioned often due to honest miss-understanding or mistakes. I have known Rodney Joshua for over ten years. This is one of the kindness men I've ever known. I watched as he tried desperately to save a friend who was dying of cancer. He stood vigil and reached out to others to help financially. He is a commercial painter and has painted my house and many of my friends. He is a good painter and hard worker. He minds his own business, but will go out of his way to help another who might have a problem.

Rodney Joshua is honest. He is my friend. His character shines bright in my book. I would trust him with my cat.

The best always,



Barry M. Goldwater, Jr.

BMGJR/hs

R D BROWNING & ASSOCIATES
3219 EAST CAMELBACK RD. #369
PHOENIX, ARIZONA 85018
480-227-3931

TO WHOM IT MAY CONCERN:

I HAVE RETAINED RODNEY JOSHUA AS A PAINTER
FOR APPROXIMATELY 12 YEARS.

HE HAS ALWAYS DONE A PROFESSIONAL JOB AND
WAS ALWAYS TRUSTWORTHY AND TIMELY.

I RETIRED SEVERAL YEARS AGO AS AN FBI AGENT
AND CURRENTLY OWN MY PRIVATE INVESTIGATION
AND CONSULTING COMPANY. I HAVE HAD SEVERAL
ASSOCIATES IN THE PAST, WHO WERE ALSO FBI
AGENTS THAT HAVE USED RODNEY WITH GOOD
RESULTS.

I WOULD RECOMMEND RODNEY FOR ANY PAINTING
PROJECT IN THE FUTURE.

Roger D. Browning 4/24/10

ROGER D. BROWNING
SPECIAL AGENT FBI
(RETIRED)

February 27, 2020

In re: 20-69 (Annette Majoue)

received
2/28/20 #R

To the Arizona State Veterinary Medical Examining Board,

I received the investigation paperwork in the mail regarding Penguin (Rodney Joshua's cat) on February 15, 2020, exactly 4 years after seeing Penguin at The Scottsdale Veterinary Clinic (TSVC).

On December 15, 2015, Rodney Joshua had been fired as a client from TSVC due to disrespectful treatment of the staff and being repeatedly argumentative. I was not involved in that decision. Also, I was never the premise license holder for TSVC.

On February 15, 2016, Rodney was reminded upon arrival that TSVC had fired him as a client due to repeated episodes of being disrespectful and argumentative. He was told that if Penguin was stable enough, he should be transported to another facility. We also told him that if Penguin was not stable enough to transport, then we would treat Penguin to stabilize him and then Rodney would need to transfer Penguin to another facility.

Rodney Joshua presented Penguin to TSVC with a history of several hours vomiting. Penguin had a several month history of difficulty walking. Penguin was trembling and uncoordinated, but his initial vitals were within normal limits. In my opinion, Penguin was clearly stable enough to be transferred to another facility.

In summary, I feel that I went above and beyond for Penguin, given the relationship TSVC had with Rodney, Penguin's owner. I examined Penguin, verified that he was stable, and referred Rodney to another hospital that was open 24 hours to examine his neurological symptoms.

Please let me know if I can be of any further assistance in this matter.

Thank you,

Dr. Annette Majoue



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INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: AM Investigative Committee: Robert Kritsberg, DVM - Chair
Christina Tran, DVM
Carolyn Ratajack
Jarrod Butler, DVM
Steven Seiler

STAFF PRESENT: Tracy A. Riendeau, CVT – Investigations
Marc Harris – Assistant Attorney General

RE: Case: 20-69

Complainant(s): Rodney Joshua

Respondent(s): Annette Majoue, DVM (License: 4137)

SUMMARY:

Complaint Received at Board Office: 2/10/20

Committee Discussion: 7/7/20

Board IIR: 8/19/20

APPLICABLE STATUTES AND RULES:

Laws as Amended July 2014

(Salmon); Rules as Revised September 2013 (Yellow).

On February 15, 2016, "Penguin," a 12-year-old male domestic short hair cat was presented to Respondent on emergency for vomiting. The cat had an enema earlier that day at his regular veterinarian due to constipation for 4 – 5 days. Respondent evaluated the cat; it was determined that the cat was stable enough to be transferred to another emergency facility due to Complainant being terminated as a client in December 2015.

Later that evening, the cat was presented to VCA Animal Referral and Emergency Center of Arizona for evaluation. Complainant elected to humanely euthanize the cat.

Complainant was noticed and appeared telephonically.

Respondent was noticed and appeared telephonically. Attorney David Stoll appeared.

The Committee reviewed medical records, testimony, and other documentation as described below:

- Complainant(s) narrative: Rodney Joshua
- Respondent(s) narrative/medical record: Annette Majoue, DVM
- Consulting veterinarian(s) narrative/medical record: William Langhofer, DVM – The Scottsdale Veterinary Clinic; Tanya Lopez, DVM – DC Ranch Animal Hospital.

PROPOSED 'FINDINGS of FACT':

1. On December 15, 2015, according to Dr. Langhofer, the responsible veterinarian for The Scottsdale Veterinary Clinic, Complainant was terminated as a client due to his impatient, rude and unpleasant behavior with the staff and doctors.
2. On February 15, 2016, the cat was presented to Dr. Lopez at Scottsdale Hills Animal Hospital due to no bowel movement in 4 – 5 days. The cat was currently on cisapride and miralax twice a day. Dr. Lopez examined the cat and noted the colon was full of normal diameter, formed soft feces; feces was palpable along entire descending colon. The cat had hind limb ataxia as noted before; Complainant reported the cat was able to walk over the weekend.
3. Dr. Lopez's assessment was IVDD in the lumbar region – differential diagnosis was spinal tumor; stable chronic renal failure; controlled diabetes mellitus; mild constipation – suspected IVDD was playing a role causing stasis of colon – CRF and idiopathic constipation possible as well.
4. The cat was administered two DSS enemas with 30mL tepid water by 18 french catheter rectally which was easily passed without discomfort or tension. There was no production of feces or attempts to defecate. Dr. Lopez noted only watery diarrhea on rectal exam and soft malleable stool palpated in descending colon upon abdominal palpation.
5. The cat was discharged with instructions by Dr. Lopez. She advised to continue miralax and cisapride; keep cat confined to a bathroom with towels due to the cat likely continuing to leak diarrhea throughout the night due to the feces being soft. If diarrhea does not pass, it was recommended to recheck the next morning.
6. Later that evening, Dr. Langhofer explained that Complainant began calling the premises but would not tell staff who he was. Based on previous conversations, the receptionist recognized Complainant's voice and concluded that he had called that evening. The staff asked multiple times for Complainant's name and he refused to give it to them. Complainant stated that the cat had a colonic flushing 2 – 3 days prior at another vet; the cat was now twitching and vomiting. Although Complainant was discharged as a client, the receptionist relayed to Complainant that the cat should be seen but Complainant refused to come in as requested by the receptionist. Complainant insisted on speaking with a doctor each time he called. The doctor was providing care to other patients during emergency hours and could not come to the phone; without knowing who the patient was, doctors do not generally get on the phone to discuss the patient, as they cannot provide much information without an exam. The cat was not a patient they had ever provided services for at the premises prior to that night.
7. At approximately 11:00pm, Complainant arrived unannounced with the cat. He was reminded that he was terminated as a client due to his repeated episodes of being disrespectful and argumentative. Complainant was advised that they were willing to evaluate the cat to determine if he was stable enough to be transferred to another emergency facility. If the cat was not stable enough to transport, they would treat the cat to stabilize and then Complainant would need to transfer the cat elsewhere.
8. The cat had a history of vomiting for several hours and a several month history of difficulty

walking. The cat was trembling and uncoordinated, but the initial vitals were within normal limits. The cat had a temperature = 101.7 degrees, a heart rate = 200bpm and a respiration rate = normal. The cat was unable to rise, was having tonic tremors every 2 seconds affecting entire body and voluntary motor was present in front limbs. The cat was too weak to hold body weight and had very little voluntary motor present in hind limbs. Pupils were dilated – had dazzle to light but pupils did not constrict. Dr. Majoue advised Complainant that the cat was stable enough to transfer to another hospital. Complainant asked what the cat's diagnosis was; he was advised that diagnostics would need to be performed and it was recommended to transfer to another facility. Complainant's entire deposit of \$400 was refunded and there was no charge for the evaluation.

9. At 11:50pm, the cat was presented to VCA Animal Referral and Emergency Center of Arizona. The cat was evaluated – shallow breathing, non-ambulatory, unresponsive, tachycardic - had a blood glucose = 21 and was bloused dextrose 50mLs diluted with saline. There was no improvement in mentation. Possible sepsis was discussed with Complainant along with the cost of treatment. Complainant elected to humanely euthanize the cat.

10. Complainant expressed concerns that Dr. Majoue deemed the cat stable for transfer and did not treat him. He did not feel the cat was stable enough for transfer and the cat could have lived if he was treated at the time of presentation.

11. Dr. Majoue felt that she went above and beyond for the cat, given the relationship with the premises had with Complainant. She examined the cat, verified he was stable, and referred the cat to another hospital that was open.

COMMITTEE DISCUSSION:

The Committee discussed that after reviewing the case file materials and speaking with Respondent and Complainant, the Committee expressed concerns that a history of the cat was not obtained from Complainant. It is possible that diagnostics would have been performed prior to transferring the cat to another emergency facility if history was obtained. Respondent would have been made aware that the cat was diabetic and a blood glucose would have likely been performed instead of the focus being a gastrointestinal issue.

The Committee understood that Complainant went to the closest facility to him to seek help for his cat, however, he knew he was not welcome at that premises and he should have went elsewhere initially. The time difference possibly could have made a difference.

The Committee struggled with a possible violation; they had concerns that a history was not obtained from Complainant, which could have affected the outcome. However the Veterinary Practice Act does not have a specific requirement that licensees need to document an animal's history in the medical record.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that no violations of the *Veterinary Practice Act* occurred.

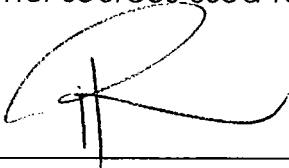
COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board:

Dismiss this issue with no violation.

Vote: The motion was approved with a vote of 5 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.

A handwritten signature in black ink, appearing to be 'TR' with a large loop, positioned above a horizontal line.

Tracy A. Riendeau, CVT
Investigative Division